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2 VARELL L. FULLER  
Assistant Federal Public Defender  
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6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN JOSE DIVISION

10 UNITED STATES OF AMERICA, ) No. CR 11-00143-JF  
11 )  
Plaintiff, ) STIPULATION AND ~~PROPOSED~~  
12 ) ORDER CONTINUING HEARING DATE  
vs. ) AND EXCLUDING TIME UNDER THE  
13 ) SPEEDY TRIAL ACT  
LARRY EUGENE SANTOS, JR., and )  
14 JUVINNA WINSKOWSKI, )  
15 Defendants. )  
\_\_\_\_\_ )

16  
17 **STIPULATION**

18 Defendant Juvinna Winskowski, by and through Assistant Federal Public Defender  
19 Varell L. Fuller; defendant Larry Eugene Santos, by and through counsel Jack Gordon; and the  
20 United States, by and through Assistant United States Attorney Shawna Yen, hereby stipulate  
21 that, with the Court's approval, the status hearing currently set for Thursday, August 4, 2011, at  
22 9:00 a.m., shall be continued to Thursday, October 13, 2011, at 9:00 a.m.

23 The reason for the continuance is that counsel for Ms. Winskowski and Mr. Santos both  
24 respectfully ask that the Court continue the August 4, 2011, status hearing date to October 13,  
25 2011, to allow them additional time to complete their respective on-going investigation and  
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research with respect to the offenses alleged in this matter.

For the foregoing reasons, the parties jointly request and agree to an exclusion of the time between August 4, 2011, and October 13, 2011, under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation by defense counsels.

IT IS SO STIPULATED.

Dated: August 2, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
VARELL L. FULLER  
Assistant Federal Public Defender  
Counsel for Juvinna Winskowski

Dates: August 2, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
JACK GORDON  
Counsel for Larry Eugene Santos

Dated: August 2, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
SHAWAN YEN  
Assistant United States Attorney

**[PROPOSED] ORDER**

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY ORDERED that the hearing currently set for Thursday, August 4, 2011, shall be continued to Thursday, October 13, 2011, at 9:00 a.m.

THE COURT FINDS that failing to exclude the time between August 4, 2011, and October 13, 2011, would unreasonably deny counsel for Ms. Winskowski and Mr. Santos reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

THE COURT FURTHER FINDS that the ends of justice served by excluding the time

1 between August 4, 2011, and October 13, 2011, from computation under the Speedy Trial Act  
2 outweigh the interests of the public and the defendants in a speedy trial.

3 THEREFORE, IT IS HEREBY ORDERED that the time between August 4, 2011, and  
4 October 13, 2011, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §  
5 3161(h)(7)(A) and (B)(iv).

6 IT IS SO ORDERED.

7 Dated: 8/4/11

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9 THE HONORABLE JEREMY FOGEL  
10 United States District Court Judge  
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